

CITY COUNCIL, CITY OF LODI  
 COUNCIL CHAMBER, CITY HALL  
 MARCH 4, 1959

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 o'clock p.m. of Wednesday, March 4, 1959; Councilmen Brown, Culbertson, Mitchell, Robinson and Katzakian (Mayor) present; none absent. Also present: City Manager Glaves, City Attorney Mullen, Planning Director Rodgers and Administrative Assistant Brown.

## PUBLIC HEARINGS

COE ADDITION  
 ORD. NO. 638  
 INTRODUCED Mayor Katzakian called for hearings on the intention of the City Council to annex .16 of an acre belonging to George Coe on the north side of Turner Road near Pleasant Avenue. There being no protests, either written or oral, Councilman Culbertson, Brown second, moved the introduction of Ordinance No. 638 by reading of title only and waiving reading of the ordinance in full. The motion carried unanimously.

E. PINE ST.  
 REZONING  
 ORD. NO. 639  
 INTRODUCED The Mayor then called for public hearing on the request of Orville Bonnet for rezoning from R-4 to C-2 of his property at 615 East Pine Street. The City Manager read a report from the City Planning Commission recommending the rezoning. There were no protests, either written or oral. On motion of Councilman Robinson, Mitchell second, the Council introduced Ordinance No. 639 by reading of title only and waiving reading of the ordinance in full.

## PLANNING COMMISSION

The following actions of the Planning Commission were reported:

1. Approved a use permit for G.R. Dickhoff to construct a beauty shop at 1206 South Hutchins Street in the R-3 residential zone.
2. Approved a use permit for Dr. N.J. Michals to establish a convalescent home at 314 West Pine Street in the R-4 residential zone.

CARLO COURT  
 TO CARLO WAY  
 RES. NO. 2210  
 ADOPTED In regard to the petition of property owners on Carlo Court to have the street name changed to Carlo Way, the Planning Commission recommended that the Council approve the request. On motion of Councilman Mitchell, Brown second, the Council adopted Resolution No. 2210 changing the name of Carlo Court to Carlo Way, ordering that said resolution be sent to the County for recordation, and copies thereof sent to the County Surveyor and the United States Post Office.

## COMMUNICATIONS

MCFALL Letter from Congressman John J. McFall acknowledging receipt of Resolution No. 2204 concerning the problems of disarmament.

ABC LICENSE Notice of Alcoholic Beverage License, On Sale Beer, for Virgil C. Walker, "Virk's Place", 5 East Elm Street.

## REPORTS OF THE CITY MANAGER

## PENSION FUND

The City Manager read a report and recommendation from the Pension Board concerning a Separation Reserve of \$21,846.37 which has accumulated for all members of the local retirement system. In addition, a Separation Reserve of \$528.37 has accumulated to the credit of the Police and Fire personnel only. The Board recommends that the \$528.37 be redistributed to the Police and Fire personnel and that \$60.00 per year for 1957 and 1958 be redistributed to all members being employed on the last day of each of said years which would amount to approximately \$19,560.00. Councilman Brown moved, Mitchell second, that the funds be distributed as recommended. Motion carried.

## CLAIMS

On motion of Councilman Brown, Culbertson second, the Council approved claims amounting to \$31,351.91.

LINE TRUCK  
WITH HOLE  
DIGGER  
PURCHASE

The City Manager stated that the Superintendent of Utilities had come across a fully equipped line truck, including a hole digger, which had been used as a demonstrator, the retail price of which was \$15,308 in 1958; it was now offered to the City for \$11,060. The 1958-59 budget includes \$12,575 for a truck and hole digger equipment and the Superintendent felt that the City should not miss the opportunity to purchase this demonstrator. The City Manager felt that purchase would be permissible under Section 6 of the Purchasing Ordinance since there were only two companies in northern California selling this type of equipment and it was unlikely that the other company would have comparable equipment to offer. Councilman Brown moved that the City Manager and the Superintendent of Utilities negotiate for purchase of the line truck and equipment recommended. The motion was seconded by Councilman Robinson and carried.

## INSURANCE

The City Manager stated that at this time he would like to have the policy regarding the Agent of Record clarified and that Mr. Max Elson, representing the City's Agent of Record, was present to explain how the City's insurance has been handled since Lobaugh & Elson was appointed Agent of Record. The City Manager felt that the Agent of Record was giving valuable service to the City. Councilmen were in agreement with this, but they had questions concerning the method of securing the insurance. Mr. Elson explained that asking for proposals and negotiating for quotations enabled the Agent of Record to secure the best deal in getting insurance, rather than asking for closed bids as there are so many ramifications that have to be weighed and considered that closed bids are not practicable. Insurance Brokers Ira Shank and James Gleason stated that it was difficult to get companies to bid, particularly for one year at a time as they preferred to negotiate and have a long term business based on costs. Agent

Don Wittreier had no objection to negotiation. However, Agent Don Berry felt that the City should ask for closed bids and that bids which were not proper should be disqualifyed. It was pointed out that 60% of the insurance went to the Agent of Record and that 40% was divided among those agents eligible to make proposals whether or not they submitted proposals. Councilman Mitchell did not consider this an equitable procedure, stating that those who did not submit a proposal should not participate in the proceeds. However, the insurance agents present did not object to this procedure. Councilman Culbertson moved that the Agent of Record continue to secure proposals and negotiate for insurance as has been done in the past. The motion was seconded by Councilman Brown, and passed by the following vote:

AYES: Councilmen - Brown, Culbertson, Robinson and Katzakian

NOMS: Councilmen - Mitchell

The next question to be resolved was who should be permitted to submit proposals. The Council had at its meeting of May 7, 1958 approved a policy whereby the Agent of Record was authorized to receive proposals only from those agents who belonged to the San Joaquin Association of Insurance Agents. The City Manager stated that it was up to the Council to make the rules; that the Council could adopt a list of brokers or establish its own qualifications. Councilman Robinson moved that agents qualified to participate must be eligible for membership in the San Joaquin Association of Insurance Agents, but did not need to be a member. The motion was seconded by Councilman Mitchell and carried.

RN  
INAGE

City Manager Glaves stated that the Engineering Department had been making studies of the Cherokee Lane drainage area and had contacted the Division of Highways in regard to drainage of the freeway. Tentative plans had been worked out with the Division of Highways whereby the drainage ditch would be located between the freeway and the frontage road. If the City permitted the State to discharge their storm runoff into the City's system, the State would save an estimated \$50-70,000 which they would be willing to contribute towards construction of the City's system. The City would need to extend its base line ditch to the Woodbridge Irrigation District canal and the Engineering Department would like to negotiate for use of the canal for a few years until the City constructs its outfall line. The tentative estimates of cost for the Cherokee and base line ditches is estimated at \$150,000. Mayor Katzakian stated that acceptance of this program would be committing the City to the Master Plan submitted by Wilsey and Ham, and he felt further study should be made of the entire plan. The Director of Public Works stated that the Division of Highways would like to know in two or three months whether the City intended to have an agreement with the State regarding the drainage. Mrs. Orrin Kettleman voiced opposition to an open ditch, being particularly concerned with its cleaning and maintenance.

She was told that the City expected to adequately maintain the ditch. The Council discussed the cost of a drainage ditch connected to dice and also the possibility of being allowed to empty storm water from the proposed base line ditch into the Woodbridge Irrigation District canal on a temporary basis. Councilmen Culbertson moved that the City accept the Master Storm Drainage Plan submitted by Wilsey and Ham and instruct the City Engineer to proceed with necessary negotiations and to continue study of engineering details. The motion died for lack of a second; however, the Council agreed that the Woodbridge Irrigation District should be contacted regarding temporary use of the canal and that the storm drain plan be discussed no later than April 15.

## ORDINANCES

UNIFORM BLDG. CODE 1958 ED.  
ADOPTING THE "UNIFORM BUILDING CODE", 1958 EDITION, TOLMES I AND III, REGRADING, REPOSITION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, AND MAINTENANCE OF BUILDINGS OR STRUCTURES IN THE CITY OF LODI; PROVIDING FOR THE ISSUE OF PERMITS AND COLLECTION OF FEES THEREFOR; DECLARING AND ESTABLISHING FIRE DISTRICTS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING ORDINANCE NO. 554 AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH", having been introduced at the regularly adjourned meeting of February 25, 1959, was brought up for passage on the motion of Councilman Robinson, Mitchell second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES:

Councilmen - Brown, Culbertson, Mitchell, Robinson and Katzakian

NOES:

Councilmen - None

ABSENT:

Councilmen - None

CHEROKEE LAKE  
REZONING TO C-2  
ORD. NO. 637  
ADOPTED

ORDINANCE NO. 637, entitled "AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF LODI AND THEREBY REZONING PROPERTY ON THE EAST SIDE OF CHEROKEE LAKE TO BE IN THE C-2 COMMERCIAL ZONE", having been introduced at the regular adjourned meeting of February 25, 1959, was brought up for passage on the motion of Councilmen Mitchell, Brown second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES:

Councilmen - Brown, Culbertson, Mitchell, Robinson and Katzakian

NOES:

Councilmen - None

ABSENT:

Councilmen - None

There being no further business, the Council adjourned at 10:40 p.m.

ATTEND: Bremerton, Particular  
None Blank